REMARKS

Prior to entry of this paper, Claims 1-45 were pending. Claims 1-45 were rejected. In this paper, Claims 1, 5, 7-12, 18-22, 26, 28-33, 35, and 41-45 are amended; No Claims are canceled. No Claims are added. Claims 1-45 are currently pending. No new matter is added by way of this amendment. For at least the following reasons, Applicants respectfully submit that each of the presently pending claims is in condition for allowance.

Claim Rejections – 35 USC § 103

Claims 1-5, 9-15, 26-33, and 35-44 are rejected under 35 U.S.C. 103(a) as being unpatentable over Murphy (US Patent 6,006,266) in view of Aura (US Patent 6,947,725). Claims 6, 7, 16, 17 and 34 are rejected under 35 U.S.C. 103(a) as being unpatentable over Murphy in view of Aura, further in view of Laraki (US Patent Application Publication 2003/0233329). Claims 19 and 23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Murphy in view of Aura and Wilf, further in view of Laraki. Applicants respectfully traverse these rejections.

Prior to discussing the claims in particular, Applicant believes it will be helpful to discuss at least one embodiment described in the application. This embodiment is illustrative of many reasons the claims in the present application define an invention that is patentable over the cited art. Various embodiments of the Applicants are directed towards determining a signature associated with a computing device. In some instances, a mobile computing device may not provide a mechanism for identifying themselves. In some instances, a lack of a device identifier may result in unnecessary denial of certain services, an inability of a server to perform certain actions, and the like. See Applicants' specification, page 1 lines 19-25. Thus, embodiments of the Applicants include a server that determines a level of trusted associated with the computing device, based, in part, on information associated with gateway group information, a user agent, a subscription identifier, and other information. See Applicants' specification, page 3 lines 24-27. Further, the server may determine at least one level of trust based on whether a mobile device identifier is provided. However, the server may also determine a level of trust based on whether the mobile device has defined operational capabilities, such as being enabled to accept a cookie, or is enabled

to interact with a URL, and the like. See Applicants' specification, page 12 lines 9-27. By determining a level of trust based on other than the mobile device identifier, and instead on at least operational capability of the mobile device, a mobile device may still be enabled to access at least some services. Thus, the Applicants claims are directed to determining at least one level of trust not just on what the mobile device has (e.g., a mobile device identifier, a credential, a nonce, or the like), but on its operational capabilities. Thus, for at least these reasons, the Applicants submit that the claimed invention is novel and non-obvious.

After a careful review of the cited prior art references, the Applicant respectfully submits that the references, either alone or in combination fail to recite all of the limitations of the Applicant's pending claims. For example, claim 1 recites, in part, automatically determining at least one level of trust from a plurality of different levels of trust based, in part, on: if a trusted mobile device identifier associated with the mobile device is received, then determining at least a first level of trust associated with the mobile device. If the mobile device is enabled to accept a cookie, then determining at least a second level of trust associated with the mobile device. Claim 1 further recites that if the mobile device is enabled to interact with a Uniform Resource Locator (URL), then determining at least a third level of trust associated with the mobile device. As can be seen, while claim 1 provides for a first level of trust based on a trusted mobile device identifier, a second level of trust and a third level of trust are clearly based other than what the mobile device has. The second level of trust is based on whether the mobile device is enabled to accept a cookie, which is an operational capability or configuration of the mobile device. The third level of trust is based on whether the mobile device is (operationally) enabled to interact with a URL. Such determinations based on an operational capability of the mobile device are not taught or suggested by the cited prior art references.

As acknowledged by the Office Action, Murphy does not even disclose a plurality of different levels of trust. However, Applicants further submit that Murphy also does not teach or suggest determining a level of trust based on being enabled to accept a cookie or interact with a URL. While, Murphy may indicate that a mobile device uses a browser and employs URLs, Murphy simply does not teach or suggest using such information to determine different levels of

trust. See Murphy, Col. 9 line 22-Col. 10 line 64. Moreover, using a browser does not even implicitly indicate that cookies are enabled, as it is well known that a user can disable cookie acceptance. A review of Murphy and Aura indicates that no mention appears to even be made to cookies, let alone testing on whether the mobile device is enabled to accept cookies as a basis for determining a level of trust.

Aura discloses global identifiers may be used to identify misuse of the mobile access network, particularly the distribution of the credential and secret credential key to other mobile nodes. Exemplary types global identifiers are a home IP (Internet Protocol) address, which is used to identify mobile IP nodes, a Media Access Controller (MAC) address... or a GSM IMSI (GSM International Mobile Subscriber Identifier). Alternatively, the mobile node identifier may be omitted. Accordingly, the mobile access network may log the nonces issued by base stations to the mobile nodes. See Aura, Col 13 line 64-Col. 15 line 6. Thus, Aura also fails to teach or even suggest determining at least one level of trust based on an operational capability of the mobile device rather than merely on what it has (an identifier, or a nonce). Aura does not even suggest examining operational capabilities of the mobile device as a basis for determining a level of trust – such as - not enabled to accept a cookie nor enabled to interact with a URL. A review of Laraki and Wilf simply indicates that they too, fail to teach or suggest such limitations. Thus, for at least these reasons, the cited prior art references, either alone or in combination fails to satisfy a *prima facie* case for obviousness. Therefore, for at least these reasons, the Applicants submit that at least claim 1 should be allowed to issue.

Independent Claims 18, 26, 35, 41, and 45 include similar, albeit different, features to independent Claim 1. For example, claims 35 and 41 recite, in part, determining if the mobile device is enabled with a defined operational capability and if the mobile device is so enabled, then determining another level of trust associated with the mobile device. Claim 45 recites, in part, wherein at least one of the different levels of trust is based on an operational capability of the mobile device. Claims 18 and 26 further include limitations that include determining at least one level of trust based on whether the mobile device enabled to accept a cookie and/or interact with a URL. Thus, Applicants respectfully submit that, because the cited references do not support a

prima facie rejection of at least the pending independent claims for at least the same reasons as stated above, the Applicants request that at least claims 1, 18, 26, 35, 41, and 45 be allowed to issue.
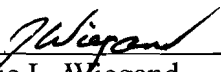
In addition, Claims 2-17 depend from Claim 1; Claims 19-25 depend from Claim 18; Claims 27-34 depend from Claim 26; Claims 36-40 depend from Claim 35; and Claims 42-44 depend from Claim 41. Therefore, for at least the same reasons as their respective independent claims, each of the dependent claims is also allowable. Thus, Applicant respectfully submits that Claims 1- 45 are in condition for allowance, and should be allowed to issue.

CONCLUSION

It is respectfully submitted that each of the presently pending claims (Claims 1-45) is in condition for allowance and notification to that effect is requested. Examiner is invited to contact the Applicants' representative at the below-listed telephone number if it is believed that the prosecution of this application may be assisted thereby. Although only certain arguments regarding patentability are set forth herein, there may be other arguments and reasons why the claimed invention is patentable. Applicant reserves the right to raise these arguments in the future.

Dated: October 5, 2007

Respectfully submitted,

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